REMARKS

Status of Claims

The Office Action mailed 05 December 2006 has been received and reviewed. Each of claims 1-20 stands rejected. Reconsideration of the present application in view of the following remarks is respectfully requested.

Claim Objections

Claims 8, 10, 15, and 18 stand objected to under 37 C.F.R. 1.75(d) as reciting terms and phrases that do not find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description.

Applicant respectfully disagrees with the Office's contention that machine-readable medium is not supported in the specification. The Office seems to require an "ipsis verbis" recitation in the claims. Contrary to the Office's current requirement, the Manual of Patent Examining Procedure (MPEP) section 2163 (II)(3)(A) counsels that a claim description does not have to be in "ipsis verbis." Further, section 2106 (II)(C) states that USPTO personnel must always remember to use the perspective of one of ordinary skill in the art; claims and disclosures are not to be evaluated in a vacuum.

Applicant submits that one of ordinary skill in the technical arts understands that computer storage medium, which is supported in the specification, and machine readable medium are similar. Machine-readable media is not a nebulous term, but is a term of art that has a rich history in patent literature. A simple search of the Office's patent database produces many published patents with claims directed to machine-readable media. Applicant directs the Office to the following patents issued by Examiner's Dam and Kiss : US 7,140,005 issued on 21 November 2006 and US 7,120,904 issued on 10 October 2006. In each of these patents, claims are directed to machine readable media. Accordingly, for at least the above reasons, Applicant respectfully requests withdrawal of the objection to claims 8, 10, 15, and 18.

Rejections under 35 U.S.C. § 101

A.) Applicable Authority

Section 101 of title 35, United States Code, provides whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

First, the text of 35 U.S.C. § 101 states that one may patent something that is a machine, manufacture, composition of matter or a process. See, e.g., In re Warmerdam, 33 F.3d 1354, 1358 (Fed. Cir. 1994). Second, the text requires that the subject matter sought to be patented be "useful." Accordingly, a complete definition of the scope of 35 U.S.C. § 101, reflecting Congressional intent, is that any new and useful process, machine, manufacture or composition of matter under the sun that is made by man is the proper subject matter of a patent.

MPEP section 2106.01 (I) indicates that USPTO personnel should determine whether the computer program is being claimed as part of an otherwise statutory manufacture or machine. For instance, a computer readable medium or computer system may provide the physical structure for a computer program. Section 2106.01 (I) states that only when the claimed invention taken as a whole is directed to a mere program listing, i.e., to only a description or expression, is it descriptive material per se; however, when the program listing is recited in conjunction with a physical structure, such as computer memory, USPTO personnel should treat the claim as a statutory product.

B.) Non-Statutory Subject Matter Rejection.

Claims 4-8, 10-15, 17, 18, and 20 stand rejected under 35 U.S.C. §101 as being unpatentable. Applicant respectfully traverse this rejection, as hereinafter set forth.

With respect to claims 4-6 and 17, the Office contends that the claims are non-statutory because they are related to functional descriptive material per se. Applicant respectfully disagrees. Claims 4-6 and 17 are directed to a computer having computing elements that extend a wizard. The claims include a host-wizard and sub-wizard components that are utilized together to provide an extended wizard. The claimed computer is a physical structure that imparts functionality to the host-wizard and sub wizard components when creating an extended wizard. The claimed computer system of claims 4-6 and 17 comprising

host-wizard and sub-wizard components is a physical device that is statutory. Accordingly, the 101 rejection of claims 4-6 should be withdrawn.

With respect to claims 11 and 14, the Office contends that the claims are non-statutory because they are related to software per se and because a tangible result is not apparent in claims. Applicant respectfully submits that claimed computing elements are described as part of a statutory computer. The functions described in relation to the claimed user interface, host-wizard and web page are realized by the computer. The claimed computer system of claims 11 and 14 having the user interface and web page is a physical device that is statutory. Accordingly, the 101 rejection of claims 11 and 14 should be withdrawn.

With respect to claims 7, 11-15, and 20, the Office contends that the claims are non-statutory because the claims are not limited to a practical application. Applicant respectfully disagrees, the invention described in the specification and recited in the claims has application within the technical arts. The practical application provides computers with the ability to extend wizard. Among other things, the claimed invention of claims 7, 11-15, and 20 is utilized to extend wizards without having to program a new wizard from scratch. Developers may benefit from the claimed invention because it may reduce the man hours required for updating or generating the wizard. Contrary to the Office's contention, the claimed invention of claims 7, 11-15, and 20 asserts a practical application for the claimed invention, where the practical application is performed by computers and machine-readable media.

Rejection under 35 U.S.C. §102

A.) Applicable Authority

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdeggal Brothers v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also*, MPEP § 2131.

B.) Anticipation Rejection Based on "Professional Active Server Pages 2.0," 1998, Wrox Press Ltd. (hereinafter "Fedorov).

Claims 7, 10, and 11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Fedorov. Applicant respectfully traverses this rejection, as hereinafter set forth.

With respect to independent claim 7, Fedorov fails to disclose "generating a host wizard that defines an extension interface to respond to navigation events; generating a web component comprising: a web page, said web page containing a wizard control area and a control interface, and utilizing the extension interface to perform recursive navigation between said web component and said host wizard."

The Office relies on Fedorov, at pages 423-426 and 431, to anticipate the claimed invention. Applicant respectfully disagrees. The cited portions of Fedorov discloses a web-based dialog that is used to collect information and produce calculations. The web-based dialog box is the web component. The Seismic.asp and equakeget.htm, disclosed by Fedorov, represent two components of a web-based calculator wizard. The Office contends that the browser application anticipates the claimed host wizard and the navigation to the host wizard. One of ordinary skill in the art understands that a browser and wizard are not equivalent. The browser application provides the environment for retrieving and displaying the web component. The browser application is not "a wizard." Unlike a browser, a wizard guides a user through a specified task. At best, Fedorov discloses one wizard that is provided by a browser application.

Furthermore, the Office contends that the "Back" and "Next" controls provide recursive navigation between a host wizard and web component. Contrary to the Office's allegation, Fedorov, at page 424, expressly indicates that the "Back" and "Next" controls are used to navigate between panes of the dialog box wizard. Nothing in Fedorov, teaches or suggests that the "Back" and "Next" controls provide recursive navigation between a host wizard and a web component.

Unlike Fedorov, the claimed embodiments, require a host-wizard that define an extension interface that responds to navigation events to provide "recursive navigation" between a web component and host wizard. Here, Fedorov discloses one wizard that functions as a calculator and, the wizard has its functionality determined by a web file and a script file. However, Fedorov fails to disclose "a host wizard," and "the integration of the "host wizard and web component" that provide recursive **navigation between the**

host wizard and web component. Accordingly, for at least the reasons set forth above, claim 7 is allowable over Fedorov.

Independent claims 10 and 11 recite limitations similar to those of independent claim 7. Therefore, independent claims 10 and 11 are allowable for at least the reasons set forth above with respect to independent claim 7.

C.) Anticipation Rejection Based on U.S. Patent No. 6,574,791 issued to Gauthier *et al* (hereinafter Gauthier).

Claims 1-6, 8, 9, and 12-15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Gauthier. Applicant respectfully traverses this rejection, as hereinafter set forth.

With respect to independent claim 1, Gauthier fails to disclose "invoking said one or more sub-wizard components during said host-wizard component execution; and transferring control from said host-wizard to said one or more sub-wizard components." The Office indicates that Gauthier, at column 9, line 56-column 10, line 5, anticipates the claimed requirements. The section cited by the office action discloses:

> "The WizardManager class defines objects which control the execution of multiple subwizards within the target wizards. This class also references the GUI elements making up the overall target wizard. This class preferably includes constructor methods for creating a new WizardManagerFrame object, a new WizardManagerButtonPanel object, a new WizardManagerSelectionPanel object, and a new WizardManagerLogoPanel object, and constructor methods that creating these objects from specified existing meta data. These constructor methods would call corresponding constructor methods on the corresponding class. This class also preferably includes an AddWizard( ) method for adding new subwizards to the overall wizard skeleton. This class also preferably includes methods for launching the overall wizard, and launching selected subwizards. The class also preferably includes a describe content method used to export meta data from the class objects."

In Gauthier, a "WizardManager" controls the execution of the subwizards which define the Target wizard, at column 13, lines 25-35. The execution of the subwizards is centralized and coordinated by the WizardManager. The Gauthier disclosure differs from the invention defined by claim 1 because the control functions of Gauthier are centralized and not distributed as required by claim 1. The Office further contends that Gauthier, at column 14, line 9 through column 15, line 24, discloses the claimed "transferring of control to the subwizard." Gauthier discloses WizardState objects that are utilized to generate code that implement the wizard functions. Nothing in the cited section discloses control is passed to the sub-wizard during the execution of the host wizard. The Office contends that control

must be passed to the sub-wizard. However, a reasonable reading of Gauthier, at column 9, lines 55-58, would lead one of ordinary skill in the art to conclude that control is maintained by the Wizard Manager Class.

Unlike Gauthier, claim 1 requires a host-wizard to transfer control directly to a sub-wizard, and the sub-wizard controls its own execution. Therefore, Gauthier fails to disclose a transfer of control to one or more sub-wizard components. Accordingly, for at least the reasons set forth above, claim 1 is allowable over Gauthier, and the anticipation rejection of claim 1 should be withdrawn.

Claim 2 depends from claim 1 and further defines novel features of the claimed invention. Accordingly, claim 2 is allowable by virtue of its dependence on claim 1. Additionally, claim 2 is allowable because Gauthier fails to disclose "wherein one or more sub-wizard components are browser based object components." The office action has referenced Gauthier, at column 18, line 66-column 19, line 30, to anticipate the claimed requirement. The section cited by the Office discloses:

> "Turning now to FIG. 6, the preferred embodiment implementation of the WizardMetaDataManager 128 is illustrated in more detail. As discussed above, the WizardMetaDataManager 128 is used to persist and retrieve target wizard meta data. In the preferred embodiment, the WizardMetaDataManager 128 implementation includes a WizardMetaDataManager object, a WizardMetaData object, a WizardMetaDataFormDescription object, a WizardMetaDataPanel object, and a WizardMetaDataFrame object.
>
> The WizardMetaDataManager object preferably includes a ReuseExistingMetaData( ) method an[d] a SaveWizardMetaData( ). The SaveWizardMetaData( ) displays the WizardMetaDataPanel object which prompts the developer to select the meta data to be stored and specify a wizard meta data file in a form specified by the WizardMetaFormDescription object. The ReuseExistingMetaData( ) method displays the WizardMetaDataPanel and prompts the user to select a set of wizard meta data. The method retrieves the wizard meta data and walks through it to recreate an **internal** set of wizard framework objects.
>
> The WizardMetaData object includes the actual meta data for the target wizard. This would preferably include all of the components of the target wizard and their interrelationships. The storage would preferably be done in a **language neutral format** to facilitate ease of restoring. The WizardMetaDataFormDescription object describes the format used for storing the wizard meta data. For example, the wizard meta[l] data could be described using extensible markup language (XML) and an accompanying wizard framework specific document content description. The WizardMetaDataPanel object and a WizardMetaDataFrame object provide the GUI interface to the developer."

Gauthier teaches a WizardMetaDataManager that is able to retrieve stored meta data, the meta data preferably being stored in a language neutral format. Gauthier further discloses that it is possible to describe the meta data using XML and a specific document content description. XML is an example of the language neutral format that aids in defining the meta data. Gauthier, at column 14, lines 9-12, further discloses that each sub-wizard includes a

Wizard object, a WizardState object, a WizardDefault object, a WizardStateController object, WizardPanel object(s), and a WizardCodeGenerator object. Gauthier discloses that the XML format is utilized to represent metadata associated with a target wizard. Gauthier does not teach that XML is utilized to define a target wizard. Accordingly, Gauthier fails to disclose sub-wizards that include browser based object components. Applicant's specification, at page 4, lines 1-10 and 21-24, page 5, lines 20-24, and page 11, lines 20-23 teaches that browser based object components include HTML or web pages that provide web wizards. Therefore, for at least the above reasons, the anticipation rejection of claim 2 should be withdrawn.

Claim 3 depends from claim 1 and further defines novel features of the claimed invention. Accordingly, claim 3 is allowable by virtue of its dependence on claim 1. Additionally, claim 3 is allowable because Gauthier fails to disclose "wherein on or more sub-wizard components are operating system based application component object extensions." The Office has referenced Gauthier, at column 6, line 42-46, as anticipating the claimed requirement. The section cited by the office action discloses:

> "The operating system 122 provides the basic functionality that controls the computer system 100. Operating system 122 can comprise any suitable operating system, such as IBM's AS/400, OS/2, Microsoft's Windows, Java and the various flavors of UNIX"

In this section, Gauthier teaches the use of an operating system and the different types of operating systems. Gauthier, at column 7, lines 45-58, further discloses a wizard framework that defines the basic elements of a wizard. "This framework defines the core functions of the solution, those elements that are required and cannot be extended by developer. The framework also defines extensible functions of the solution, those that can be customized and extended by the developer. The customization/extension quality of framework mechanisms is extremely valuable because the cost of customizing or extending a framework is much less than the cost of a replacing or reworking an existing solution."

Although Gauthier refers to extensions of particular functions, these types of extensions are limited specifically to objects within the wizard framework. There is no teaching of an extension that utilizes operating system based application components. Applicant's specification, at page 14-15, illustrate that an operating system based extension comprises a traditional object wizard component extension and is created in an operating environment that differs from the browser based object component which comprises the

HTML component wizard extension Therefore, for at least the reasons set forth above, claim 3 is allowable over Gauthier.

With respect to independent claim 4, Gauthier fails to disclose "a host-wizard, said host-wizard having an interface adapted to communicate with other wizards and a host-wizard navigational component adapted to transfer control to other wizards." The Office has referenced Gauthier, at column 9, line 55 – column 10, line 5, column 10, lines 57-67 and column 14, lines 9-14 which discloses:

> "The Wizard class provides objects to list panels in subwizard and their associated panel flow order. The Wizard class preferably defines constructor methods that call to create new WizardState objects, new WizardStateController objects, new WizardDefault objects and new WizardCodeGenerator objects for each new subwizard when called by the WizardWizard. The Wizard class also preferably includes methods to add new panels to a subwizard and set panel flow when called by the WizardWizard and WizardDesigner. [T]he class also preferably includes a describe content method used to export meta data from the class objects."
>
> "Each subwizard in the Target wizard 129 preferably includes a Wizard object, a WizardState object, a WizardDefault object, a WizardStateController object, WizardPanel object(s), and a WizardCodeGenerator object. The Wizard object includes a list of panels that comprise the subwizard, and the corresponding panel flow order."

As stated above, the "WizardManager" centralizes the control and the execution of the subwizards which define the Target wizard. Therefore, Gauthier does not disclose **a host navigational component** adapted to transfer control to other wizards. Moreover, Gauthier fails to disclose "one or more sub-wizard components, said one or more sub-wizard components having sub-wizard interfaces adapted to communicate with other wizards **and sub-wizard navigational components** adapted to transfer control to other wizards". The Office further argues that Gauthier, at column 10, lines 30-33, allows for selection and invoking of the sub-wizard. Gauthier does not disclose that selecting the sub-wizard in the manager selection component invokes the sub-wizard. Accordingly, for at least the foregoing reasons, claim 4 is allowable over Gauthier.

Claims 5 and 6 depend from claim 4 and further define novel features of the claimed invention. Accordingly, claims 5 and 6 are allowable by virtue of their dependence on claim 4. Additionally, claims 5 and 6 are allowable for at least the reasons set forth above with respect to claims 2 and 3.

Independent claims 8 and 9 recite similar limitations to that of independent claim 1. Therefore, independent claims 8 and 9 are allowable for at least the reasons set forth above with respect to independent claim 1.

With respect to independent claim 12, Gauthier fails to disclose "providing at least one navigation component on each of said first and second wizards, said navigation components allowing sequential progression or regression through said first and second wizards to chain said second wizard to said first wizard." The Office has referenced Gauthier, at column 9, line 55 – column 10, line 5, column 10, lines 57-67 and column 14, lines 9-14, reproduced above.

Gauthier, at column 10, lines 20-30, discloses the WizardManagerButtonPanel class provides a panel with a plurality of buttons for use on the target wizard interface. These buttons would typically include standard GUI interface buttons, such as BACK, NEXT, FINISH, CANCEL and HELP. However, the buttons are not on **each wizard**, the buttons are centralized using a WizardManagerFrame, column 10, line 5-40. Furthermore, as noted above, the execution and control of the subwizards of Gauthier are centralized; so, the subwizards are not chained through the use of navigational components. The Office further contends that panel flows is admitted prior art. However, the panel flows do not describe how to integrate separate and distinct wizards. Accordingly, for at least the foregoing reasons, independent claim 12 is allowable over Gauthier.

Claim 13 depends from claim12 and further defines novel features of the claimed invention. Accordingly, claim 13 is allowable by virtue of its dependence on claim 12. Additionally, claim 13 is allowable for at least the reasons set forth above with respect to claims 2 and 3.

Independent claims 14 and 15 recite similar limitations to that of independent claim 12. Therefore, independent claims 14 and 15 are allowable for at least the reasons set forth with respect to independent claim 12.

Rejections under 35 U.S.C. §103(a)

A.) Applicable Authority

The basic requirements of a *prima facie* case of obviousness are summarized in MPEP §2143 through §2143.03. In order "[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success [in combining the references]. Finally, the prior art

reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)". MPEP §2143. Further, in establishing a *prima facie* case of obviousness, the initial burden is placed on the Examiner. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 USPQ 972, 972, (Bd. Pat App. & Inter. 1985)." *Id.* *See also* MPEP §706.02(j) and §2142.

B.) Obviousness Rejections Based on Gauthier in View of Fedorov.

Claims 16-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,574,791 to Gauthier *et al.* in view of Fedorov *et al.* Applicant respectfully traverses the rejection, as hereinafter set forth.

Dependent claims 16-20 further define novel features of the claimed embodiments and each depend. either directly or indirectly, from one of independent claims 1, 4, 8-9, and 12. Accordingly, for at least the reason set forth above with respect to independent claims 11, 4, 8-9, and 12, dependent claims 16-20 are believed to be in condition for allowance by virtue of their dependency. *See*, *In re Fine*, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988); *see also*, MPEP § 2143.01. As such, withdrawal of the 35 U.S.C. § 103(a) rejection of dependent claims 16-20 is respectfully requested.

Furthermore, with respect to claims 16-20, Gauthier and Fedorov, singularly or in combination fail to disclose or suggest, among other things, "passing a property bag between said host wizard and said one or more sub-wizard components."

The Office concedes that Gauthier fails to disclose or suggest the claimed passing of a property bag. However, the Office contends that Fedorov remedies Gauthier's deficiency and teaches or suggest the claimed passing of a property bag. Applicant respectfully disagrees. Fedorov, at page 423, expressly teaches that seismic.asp provides server-side calculations. Seismic.asp is not a host wizard. The Office contends that seismic.asp anticipates the claimed host wizard. Fedorov, expressly discloses that Seismic.asp redirects the browser to the server when calculations are performed.

Unlike, Fedorov and Gauthier, singularly or in combination, the claimed embodiment requires passing a property bag between a host-wizard and other wizards when navigating and passing control among the wizards. Fedorov teaches utilizing a server to perform calculations on information collected by a wizard. There is nothing in Fedorov or Gauthier, singularly or in combination, that teaches or suggests passing a property bag between at least two wizards when navigating and passing control between the wizards. Accordingly, for at least the foregoing reasons, the rejection of claims 16-20 should be withdrawn.

CONCLUSION

Having demonstrated that the cited references fail to disclose or suggest the invention as claimed, this application is in condition for allowance. Accordingly, applicant requests early and favorable reconsideration in the form of a Notice of Allowance.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated, since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a Petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 19-2112 (Attorney Docket No. MFCP.88142).

Respectfully submitted,

/Monplaisir Hamilton/

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